

ATTACHMENT B

PROPOSED AMENDMENTS TO STATE BAR RULES 2.32 and 2.50 REGARDING EXPUNGEMENT OF INVOLUNTARY INACTIVE ENROLLMENT DUE TO MCLE NONCOMPLIANCE

(January 7, 2011, public comment deletions are in ~~Strikeout~~ and additions are Underlined)

DIVISION 3. MEMBER STATUS

Rule 2.32 Inactive enrollment for failure to comply with Minimum Continuing Legal Education (MCLE) requirements

(A) A member who fails to meet requirements for Minimum Continuing Legal Education (MCLE) will be involuntarily enrolled as inactive.

(B) To terminate inactive enrollment for MCLE noncompliance, a member must comply with the MCLE rules governing reinstatement.¹

(C) Annual membership fees accrue at the inactive rate.

(D) Annually the State Bar may recommend that the Supreme Court expunge an involuntarily inactive enrollment for MCLE noncompliance if the enrollment meets the criteria adopted by the court.²

DIVISION 4. MINIMUM CONTINUING LEGAL EDUCATION

Chapter 1 Purpose and scope

Rule 2.50 Purpose of MCLE

Rules for Minimum Continuing Legal Education (MCLE) require active members of the State Bar of California to remain current regarding the law, the obligations and standards of the legal profession, and the management of their practices. A member's involuntary enrollment as inactive for failing to comply with these rules is public information available on the State Bar Web site, unless otherwise provided by rule.³

¹ See State Bar Rule 2.93

² California Rules of Court, Rule 9.6(b)

³ See California Rules of Court, Rule 9.6(b) and State Bar Rule 2.32(D).